to the deposit account of Kenyon & Kenyon, deposit account number 11-0600. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600.

REMARKS

Claims 1-25 are pending in the application.

Claims 1-25 remain in the application.

Claim Objection

Claim 15 was objected to for using both, "key word" and "keyword". Claim 15 has been amended to correct an inadvertent typographical error, maintaining application consistency ("key word" throughout). In view of the amendment, withdrawal of the objection to claim 15 is respectfully requested.

Double Patenting Objection

Claim 3 was objected to under 37 CFR 1.75 as being a substantial duplicate of claim 2. Examiner cites MPEP 706.03(k) in stating that when two claims in an application are duplicates, or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other claim under 37 CFR 1.75 as being a substantial duplicate of the allowed claim.

Applicant respectfully submits that MPEP 706.03(k) also states that "court decisions have confirmed applicant's right to restate (i.e., by plural claiming) the invention in a reasonable number of ways. Indeed, a mere difference in scope between claims has been held to be enough." See MPEP 706.03(k), lines 6 – 10. Applicant submits that there is a difference in scope between claim 2 and claim 3. The third and fourth elements of claim 2 and 3 are differentiated by the modifier, "automatically." Claims 2 and 3 are provided below for reference:

2. A method for selecting a candidate information unit for linking to a given information unit comprising:

determining a content data of the candidate information unit;

automatically determining a content data of the given information unit;

comparing the content data of the given information unit to the content data of the candidate information unit; and

selecting the candidate information unit for linking to the given information unit as a function of said step of comparing the content data of the given information unit to the content data of the candidate information unit.

3. A method for selecting a candidate information unit for linking to a given information unit comprising:

determining a content data of the candidate information unit;

automatically determining a content data of the given information unit;

automatically comparing the content data of the given information unit to the content data of the candidate information unit; and

selecting the candidate information unit for linking to the given information unit as a function of said step of ***automatically*** comparing the content data of the given information unit to the content data of the candidate information unit.

The 'comparing' element of claim 3 is modified by the word, "automatically", whereas it is not modified in claim 2. Thus, claim 2 and claim 3 have different scopes. Withdrawal of the objection to claim 3 is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-7, 16, 20-23, and 25 were rejected under 35 U.S.C. § 102(e) as being anticipated by Markowitz et al., U.S. Patent No. 6,311,185 B1 (hereinafter "Markowitz"). Markowitz discloses a method for modifying an information page transmitted on a network, such as the Internet. A request to display an information page is received from a client computer. Information page data is obtained for the requested information page. Additional data, such as an advertisement, is selected and the information page data is modified to include the additional data based on attributes of the requested information page. The modified information page data is then sent to the client computer for display. (See Abstract).

These rejections are traversed, in part, because the cited reference fails to teach or suggest a method for associating a chosen information unit with a given information unit comprising: *automatically* determining a content data of the given information unit; and automatically selecting the chosen information unit as a function of the content data of the given information unit.

Regarding claims 1-3, 20, and 25 in proposing that Markowitz discloses "automatically determining a content data of the given information unit", Examiner cites col.1, lines 32-42 and col. 2, lines 60-64. Examiner points to col. 2, lines 60-64 in stating that

the determining a content data of the given information unit is done 'automatically.' Applicants respectfully submits that col. 2, lines 60-64 (or anywhere else in Markowitz) fails to teach or suggest 'automatically' determining a content data (e.g. theme, content, concepts, etc.) of the given information unit (e.g. web page). Col. 2, lines 60-64 provides that if a user at a PC 500 requests a web page 400, the request can be sent to the ISP 600, and the ISP 600 can obtain the HTML data related to the web page 400 from the Internet 100. It says nothing about 'determining' a content data of the given information unit. And regardless, it says nothing about determining content data *automatically*. Markowitz provides no indication as to whether it does this and, if so, how (manually or automatically?). With respect to col. 1, lines 32-42, this section pertains to including an advertisement in the coding of an HTML web-page. Though this section suggests that an advertisement in the travel area could be referenced in the HTML code of a web-page concerning travel tips, there is nothing in this section that suggests automatically determining content data (e.g., of the web-site) and automatically selecting chosen information as a function of the content data as recited in claim 1.

Regarding claim 16, by similar reasoning as claims 1-3, 20, and 25, Markowitz neither teaches nor suggests *automatically* determining a user computer system data (e.g. web page data).

Regarding claim 22, Examiner states that independent claims 20-22 are for a "storage medium of method claims 1-3, and therefore are rejected under same rationale." Applicant submits that the rejection to claim 22 is traversed by the same reasoning as claim 1, stated above. In the alternative, the rejection is traversed because the cited reference fails to teach or suggest '*comparing* two of a content data of the given information unit, a user computer system data, and a user input data to the content data of the candidate information unit'. Nowhere in Markowitz is such a comparison disclosed (Examiner provides no specific citation). As stated above, Markowitz provides simply that if a user at a PC 500 requests a web page 400, the request can be sent to the ISP 600, and the ISP 600 can obtain the HTML

data related to the web page 400 from the Internet 100. (See Col. 2, lines 60-64). It says nothing about a comparison performed, etc.

Applicant respectfully submits, therefore that claims 4-7 and 23 are allowable as depending from allowable base claims.

Based on the amendments and arguments above, reconsideration and withdrawal of the rejection of claims 1-7, 16, 20-23, and 25 under 35 U.S.C. §102(e) is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claims 8-9 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Markowitz. Applicant respectfully submits that claims 8-9 are allowable as depending from allowable base claim 3 and that claim 24 is allowable as depending from allowable base claim 4. (See above).

CONCLUSION

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,
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Dated: 8-22-02

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